

Message Text

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53

ACTION ERDA-07

INFO OCT-01 EUR-12 IO-11 ISO-00 ERDE-00 ACDA-10 CIAE-00

INR-07 L-03 NSAE-00 NSC-05 EB-07 NRC-07 OES-05

FEAE-00 DODE-00 COME-00 /075 W

----- 107340

P R 241323Z FEB 76

FM AMEMBASSY PARIS

TO SECSTATE WASHDC PRIORITY 8120

INFO USMISSION IAEA VIENNA

UNCLAS PARIS 05433

DEPT PASS ERDA, INTERNATIONAL ACTIVITIES MC DONOUGH;
VIENNA PASS GIAMBUSSO

E.O. 11652: N/A

TAGS: TECH, FR

SUBJECT: ERDA/CEA DRAFT MOU ON NUCLEAR COOPERATION

REF: A) STATE 037528 B) PARIS 0835

1. EMBASSY SCICON DISCUSSED SUBSTANCE OF REFTEL WITH
CEA'S PERROT AND LE NIGER ON FEB 23.

2. RE ARTICLE 8 "MADE OR CONCEIVED" AS DESIRED BY
ERDA, AND "CONCEIVED" DESIRED BY CEA, THE FRENCH
BELIEVE THAT AN INVENTION COVERED BY A PATENT
BELONGING TO CEA CONTRIBUTED TO JOINT WORK UNDER
THE AGREEMENT AND THEREUNDER FUIST ACTUALLY REDUCED
TO PRACTICE APRIORI SHOULD NOT BECOME FULLY SHARED
PROPERTY WITH ERDA BY VIRTUE OF BEING REDUCED TO
PRACTICE UNDER THE AGREEMENT. CEA SHOULD BE AGREE-
ABLE TO SOME PRIOR ARRANGEMENT ON A CASE-BY-CASE
BASIS, BUT IT IS NOT NOW PREPARED TO GIVE ERDA
FULL RIGHTS TO ITS INVENTION CONCEIVED OUTSIDE THE
AGREEMENT AND SUBSEQUENTLY REDUCED TO PRACTICE UNDER
THE AGREEMENT.

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3. CEA APPRECIATES THE EFFORTS BY ERDA IN PRO-
POSING THE LANGUAGE FOR PARA 3 OF ARTICLE 8 CONTAINED
IN PARA 6 OF REFTEL A. IT WILL REVIEW AND MAY HAVE
COMMENTS BY FRIDAY' FEB 27.

4. CEA IS CURRENTLY PREPARING ITS RESPONSE TO THE
ROBERTS LETTER OF DEC 5 AND PLANS TO REVIEW THE
SUBSTANCE OF THAT RESPONSE AT THE MEETING SCHEDULED
FOR FRIDAY, FEB 27 ON THE OCCASION OF ANGELO
GIAMBUSO'S VISIT TO PARIS.

5. TO MAKE THAT MEETING USEFUL, ERDA GUIDANCE ON
PRIVILEGED INFORMATION (PROMISED IN REFTEL A PARA 8
AND DISCUSSED IN PARA 4 OF REFTEL B) IS REQUIRED
TO BE RECEIVED PRIOR TO THAT MEETING. ALSO, WOULD
WELCOME FURTHER ERDA THOUGHTS ON ITEM COVERED IN
PARA 2 ABOVE PRIOR TO FEB 27.
RUSH

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